IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1827 OF 2007

Mallinath Gurlingayya Shirsikar and Anr. ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.V.V.Purwant advocate for applicants
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 20, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking bail in C.R.No. 105 of 2007 of Vijapur Naka Police Station, Solapur. The said case is under Sections 498-A and 306 of IPC.

3. The applicant No.1 was the husband of Sridevi. Applicant No.2 was the mother in law of Sridevi. The marriage of Sridevi and the applicant No.1 took place about five years prior to the incident. As

Sridevi could not conceive and she was issueless, the applicants used to constantly taunt, abuse and harass Sridevi on the ground that she did not beget any children.

4. On 4.5.2007, in the night again both the applicants started harassing Sridevi on the ground that she was unable to conceive. Hence, on the next day in the morning, Sridevi being fed up by the harassment, poured kerosene on herself and set herself on fire. Thereafter she was taken to hospital. Two dying declarations came to be recorded. In both the dying declarations she has stated the above facts. In my view, prima facie case under Sections 498-A and 306 of IPC is made out in respect of applicants, hence, I do not think that this is a fit case to grant bail. Application is rejected.

5. The learned Judge shall not be influenced by any of the observations made in this order while deciding the trial.

[SMT.V.K.TAHILRAMANI, J.]